

HANSON BRIDGETT MARCUS VLAHOS & RUDY, LLP  
JERROLD C. SCHAEFER - 39374  
KURT A. FRANKLIN - 172715  
PAUL B. MELLO - 179755  
DOROTHY S. LIU - 196369  
425 Market Street, 26th Floor  
San Francisco, CA 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366  
[jschaefer@hansonbridgett.com](mailto:jschaefer@hansonbridgett.com)

BILL LOCKYER  
Attorney General of the State of California  
JAMES M. HUMES  
Chief Assistant Attorney General  
FRANCES T. GRUNDER  
Senior Assistant Attorney General  
ROCHELLE C. EAST  
Supervising Deputy Attorney General  
JAY C. RUSSELL, State Bar No. 122626  
Deputy Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5717  
Facsimile: (415) 703-5843  
[jay.russell@doj.ca.gov](mailto:jay.russell@doj.ca.gov)

Attorneys for Defendants California Department of Corrections  
and Rehabilitation, Roderick Q. Hickman, Jeanne S. Woodford,  
Thomas Felker, Mark Shepherd, and Thomas L. Carey

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MITCHELL J. KLEMASKE,

Plaintiff, on behalf of himself  
and others similarly situated,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION, et al.,

Defendants.

No. 2:04-cv-01750-FCD-KJM

CLASS ACTION

**JOINT STIPULATION and ORDER TO  
CONTINUE DATES FOR (1) FILING  
JOINT STATUS REPORT, AND (2)  
EXCHANGING RULE 26 INITIAL  
DISCLOSURES**

1 Defendants California Department of Corrections and Rehabilitation (CDCR), Roderick  
2 Q. Hickman, Jeanne S. Woodford (improperly named in Plaintiff's First Amended Complaint as  
3 Jeanne S. Woodward), Thomas Felker, Mark Shepherd and Thomas L. Carey (collectively the  
4 "Defendants"), and Plaintiff Mitchell J. Klemaske ("Plaintiff"), by and through their respective  
5 attorneys, hereby stipulate as follows:

6 WHEREAS no Case Management Conference or Joint Status Conference date has been  
7 set in this matter;

8 WHEREAS a Joint Status Report is currently due to be filed with the Court on Monday,  
9 March 6, 2006;

10 WHEREAS this matter is filed as a putative class action, and the issues and factual  
11 allegations are potentially complex;

12 WHEREAS counsel for defendant, Hanson Bridgett Marcus Vlahos & Rudy, has newly  
13 substituted into this matter;

14 WHEREAS Defendants just recently filed an answer to the complaint, on February 17,  
15 2006;

16 WHEREAS the parties require an extension of time to allow sufficient time to evaluate  
17 both Plaintiff's claims and Defendants' defenses, and to meaningfully discuss (1) Rule 26 initial  
18 disclosures, (2) anticipated discovery and scheduling, (3) anticipated motions, (4) purported  
19 related cases, (5) legal and factual issues, (6) issues related to the putative class, (7) claimed relief  
20 sought by Plaintiff, and (8) prospects for negotiating a mutually agreeable resolution;

21 WHEREAS the parties have discussed the benefit of extending the time to file a Joint  
22 Status Report and Rule 26 initial disclosures, and believe such an extension will both help in the  
23 administration of this case and save judicial resources;

24 WHEREAS the parties stipulate that the time to file a Joint Status Report be extended to  
25 March 27, 2006; and

26 WHEREAS the parties stipulate that the time to exchange Rule 26 initial disclosures be  
27 extended to March 27, 2006.

28 ///

1 Plaintiffs and Defendants hereby request the Court to approve this stipulation to continue  
2 the dates to file the Joint Status Report and exchange Rule 26 initial disclosures in accordance  
3 with the terms of this Stipulation.

4  
5 DATED: March 1, 2006

HANSON, BRIDGETT, MARCUS,  
VLAHOS & RUDY, LLP

7  
8 By: /s/ Kurt A. Franklin  
JERROLD C. SCHAEFER  
KURT A. FRANKLIN  
9 PAUL B. MELLO  
DOROTHY S. LIU  
10 Attorneys for Defendants  
CALIFORNIA DEPARTMENT OF  
11 CORRECTIONS AND  
REHABILITATION  
12

13  
14 Dated: March 1, 2006

The Legal Aid Society-Employment  
Law Center

15  
16  
17 By: /s/ Claudia Center  
(as authorized on 3/1/06)  
18 CLAUDIA CENTER  
Attorneys for Plaintiff  
19 Mitchell J. Klemaske

20 GOOD CAUSE HAVING BEEN SHOWN, IT IS ORDERED.  
21

22 Dated: March 2, 2006

/s/ Frank C. Damrell Jr.  
23 FRANK C. DAMRELL JR.  
24 United States District Court, Eastern District  
25  
26  
27  
28